

April 9, 2009

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

Mendocino Co. DOT – Mendocino Pass Road P.M. 2.74, Embankment Slope Repair
Mendocino County

On February 10, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Mendocino County Department of Transportation (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for activities related to repairing an embankment slope along the shoulder of Mendocino Pass Road and adjacent to Williams Creek. The proposed project will cause disturbances to waters of the United States associated with Williams Creek in the Round Valley Hydrologic Subarea No. 111.72.

During the heavy winter storms of 2005-2006, high flows in Williams Creek eroded the toe of the embankment slope below Mendocino Pass Road at Post Mile 2.74 and the slope failed. The storm damaged area extends approximately 65 feet along the road shoulder and approximately 60 feet down the slope to the edge of the stream channel. The purpose of the project is to stabilize the embankment slope and restore the integrity of the roadway.

The proposed project involves construction of a rock armor buttress to stabilize the embankment slope. A 10-foot wide and 65-foot long bench will be excavated along the toe of the failing slope which is adjacent to the elevation of ordinary high water and approximately 8 feet above the summer low flow elevation. A self-adjusting keyway will be constructed on the bench by using a mix of one-ton and smaller rock slope protection (RSP). The keyway will extend 18 vertical feet above the excavated bench elevation. A 65-foot long, 35-foot wide, and 3-foot deep layer of RSP will extend upslope from the keyway approximately half the distance to the roadway. The remaining upper portion of the slope will be filled with previously excavated soil, compacted, and Best Management Practices (BMPs) for erosion control will be applied to the surface. The RSP slope will include three-foot diameter voids to allow for revegetation of the slope.

Proposed embankment stabilization activities will permanently impact 65 linear feet and 650 square feet of the streambank. The proposed project will not result in any temporary impacts to the streambank. Compensatory mitigation is not required for the proposed project. Noncompensatory mitigation includes the use of BMPs for sediment and turbidity control and for operation of heavy equipment near a stream channel. The proposed project is scheduled for construction during the summer of 2009 and is expected to take 20 days to complete.

The applicant has applied for authorization from the United States Army Corps of - Engineers to perform the project under nationwide permit (File No. 2007-400819N), pursuant to Clean Water Act Section 404. The Applicant has also applied to the California Department of Fish and Game for a Lake or Streambed Alteration Agreement.

Mendocino County determined that this project is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15301, Class 1 – existing facilities. Regional Water Board staff have determined that this project is categorically exempt from CEQA review (Class 1, Section 15301 – existing facilities) and anticipate filing a Notice of Exemption for this project.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.